IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO. 173 OF 2006

IN

CRIMINAL APPEAL NO. 25 OF 2003

STATE ....Applicant

Versus

ANIL JACOB AND 4 ORS., ...Respondents

Mr. S. N. Sardessai, Public Prosecutor for the State.

Mr. P. P. Singh, Advocate for respondents No.1 and 4.

Coram:- A. P. LAVANDE &
N. A. BRITTO, JJ.

Date:- 17th April, 2006

P.C.

Heard Mr. Sardessai for the applicant and Singh on behalf of respondents No.1 and 4. Learned Counsel appearing on behalf of the respondents No.2 and 3 are absent.

It is the case of the applicant that respondent No.5 has not been served inspite of repeated efforts since his whereabouts are not known. The applicant, therefore, seeks splitting up of Criminal Appeal No.25/2003.

In view of the fact that respondent No.5 has not been served for a considerable length of time, Criminal Appeal No.25/2003 cannot be heard and we, therefore, deem it appropriate to proceed with Criminal Appeal No.25/2003 in far as respondents No.1 to 4 are concerned. Hence, the appeal be heard in so far as respondents No.1 to 4 are concerned. Criminal

Appeal No.25/2003 be fixed for hearing after summer vacation. The application stands disposed of.

A. P. LAVANDE, J.

N. A. BRITTO, J.

ssm.